

FINAL BILL REPORT

EHB 2995

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Synopsis as Enacted

Brief Description: Modifying provisions concerning apiaries.

Sponsors: Representatives G. Chandler and Linville.

House Committee on Agriculture & Ecology

Senate Committee on Agriculture & Rural Economic Development

Background:

Through the Washington Department of Agriculture's industry apiary program, the director provides regulation and inspection services, assures the availability of bee colonies for pollination, facilitates the interstate movement of honey bees, promotes improved apicultural practices, combats bee pests that pose an economic threat to the industry, and provides education to promote the vitality of the apiary industry.

Registration.

Persons owning one or more hives with bees, persons engaged in pollinating agricultural crops using hives owned by another person, and beekeepers from other states who operate hives in Washington must register on or before April 1 of each year. Registration fees are prescribed by rule. Those apiarists registered with the department are issued an apiarist identification number, which must be displayed on hives of an apiary.

Inspections.

The department may provide inspection and certification services on a fee for service basis. Apiaries may be inspected for the presence of bee pests. Every person rearing queen bees for sale or use by another apiarist must have each queen rearing apiary inspected. Before bees or equipment are brought into the state for any purpose, a certificate of inspection must be secured from the state of origin's department of agriculture. New equipment without bees is not regulated.

Pollination Service Fee.

A fee exists on the use, by agricultural crop growers, of bee pollination services provided by others. Revenues from these fees are used in providing services to the

apiary industry that assist in ensuring the vitality and availability of bees for commercial pollination services for the agricultural industry.

Hive Impoundment.

Hives may be impounded if they are abandoned, contain immovable combs or frames, are constructed in a way that impedes or hinders inspections, or constitute a threat of infestation or infection by a bee pest to bees.

Africanized Honey Bees.

Certain conditions exist under which Africanized honey bees may be imported into the state. If Africanized bees or hybrids have been imported into the state under circumstances other than those provided, these bees may be impounded and destroyed.

Apiary Coordinated Areas.

The law allows counties to establish apiary coordinated areas. In these areas, counties set the maximum allowable number of hives per site, the minimum allowable distance between sites, and the minimum required setback from property lines.

Unlawful Acts.

It is unlawful under the apiary statutes to willfully or maliciously kill or injure honey bees in an apiary, alter an official certificate or other inspection document, knowingly import Africanized honey bees, fail to take prompt or sufficient action to control regulated bee pests in excess of limits set by rule, resist, impede, or hinder the director in the discharge of the director's duties, abandon a hive, or maintain a hive with immovable combs or frames constructed in a way to impede or hinder inspection.

Penalties.

A person who violates or fails to comply with the requirements of the apiary laws is guilty of a misdemeanor for the first offense and a gross misdemeanor for each subsequent offense. If a violation is not punished as a misdemeanor or gross misdemeanor, the director may impose and collect a civil penalty not to exceed \$1,000 for each violation.

Director's Authority.

The director has rulemaking authority under the apiary laws. The director's powers include entering into compliance agreements with persons engaged in apiculture or handling, selling, or moving hives or beekeeping equipment. For any violation, the

director may bring an action for injunctive relief in superior court in the county in which the violation occurs.

Apiary Advisory Committee.

An apiary advisory committee advises the director. The committee, which includes up to 11 members, meets at least once a year, and members are reimbursed for travel expenses.

Other Provisions.

Bees are also covered by inspections conducted under other laws dealing with insect pests and plant diseases.

Summary of Bill:

The state apiary program is eliminated except for registration requirements, the apiary coordinated areas, and penalties.

Registration. The following must register: persons owning one or more hives with bees; persons engaged in pollinating agricultural crops for a fee using hives that are owned by another person; and apiarists from other states who operate hives in Washington.

The registration application must include the number of colonies of bees to be owned, brokered, or operated in Washington that year, a registration fee prescribed in rule, and any other information the Department of Agriculture requires by rule. The requirement to display the apiarist identification number on hives is removed.

Apiary Advisory Committee. The requirement for an apiary advisory committee becomes optional. Requirements regarding the size of the committee, number of meetings, and reimbursement of travel expenses are removed.

Other provisions. In other laws addressing insect pests and plant diseases, the definition of "bee pests" is now expanded to include honey bees with undesirable behavioral characteristics such as found in Africanized honey bees.

Votes on Final Passage:

House 91 4
Senate 43 1 (Senate Amended)
House 94 3 (House Concurred)

Effective: June 30, 2001